

Rec'd PCT/PTC 03 AUG 2005

**Nixon & Vanderhye PC**

ATTORNEYS AT LAW

11TH FLOOR  
901 NORTH GLEBE ROAD  
ARLINGTON, VIRGINIA 22203

TELEPHONE: (703) 816-4000  
FACSIMILE: (703) 816-4100  
WRITER'S DIRECT DIAL NUMBER:  
(703) 816-4406

**FACSIMILE COVER SHEET**  
**PLEASE DELIVER IMMEDIATELY!!!!**

Our Ref.: 227-159  
Your Ref.: 10/533,816 Date: August 3, 2005  
To: Ms. Rita White  
Firm: U.S. Patent and Trademark Office  
Facsimile No.: 703 305-3230  
From: Gary Tanigawa

Number of Pages (including cover sheet): 6  
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FACSIMILE OPERATOR

ATTACHMENT: Transmittal Letter, Correspondence Address Indication Form,  
Identification of Practitioners to be Recognized, and Rule 63 Inventor Declaration

MESSAGE: Per your request, I have corrected the serial number on the attached  
papers. Their entry is requested.

**CONFIDENTIALITY NOTE**

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FORM PTO-1530 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>227-159</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <b>10/533,816</b>
INTERNATIONAL APPLICATION NO. <b>PCT/FI2003/000813</b>	INTERNATIONAL FILING DATE <b>3 November 2003</b>	PRIORITY DATE CLAIMED <b>4 November 2002</b>
TITLE OF INVENTION  <b>METHOD FOR INHIBITING YEAST GROWTH</b>		
APPLICANT(S) FOR DO/EO/US  <b>SUOMALAINEN et al.</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The U.S. has been elected (Article 31).
- A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☐ is attached hereto (      pages specification, claims & abstract (      claims),      sheets drawings).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
  - ☐ is attached hereto (      pages specification, claims & abstract (      claims),      sheets drawings,      page Certificate of Translation).
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ **An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).**
  - ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (      page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  
Items 11 To 20 below concern document(s) or information included:
  - ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
  - ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
  - ☐ A FIRST preliminary amendment.
  - ☐ A SECOND or SUBSEQUENT preliminary amendment.
  - ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
  - ☐ A substitute specification.
  - ☐ A change of power of attorney and/or address letter.
  - ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
  - ☐ A second copy of the published International application under 35 U.S.C. 154(d)(4).
  - ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
  - ☒ Other items or information. **Identification of Practitioners to be Recognized and a Correspondence Address Indication Form**

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U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/533,816</b>		INTERNATIONAL APPLICATION NO. <b>PCT/FI2003/000813</b>		ATTORNEY'S DOCKET NUMBER <b>227-159</b>	
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>					
<input type="checkbox"/> a) Basic national fee .....				\$300.00 (1631)/\$150.00 (2631)	\$
<input type="checkbox"/> b) Examination Fee .....				\$200.00 (1633)/\$100.00 (2633)	\$
<input type="checkbox"/> c) Search Fee .....				\$500.00 (1632)/\$250.00 (2632)	\$
<b>TOTAL OF ABOVE CALCULATIONS .....</b>				<b>\$1000.00/\$500.00</b>	<b>\$ 0.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof (round up to a whole number)</b>		<b>RATE</b>	
0 -100	0 /50 =	0.00		\$0.00 (1681)	\$
				\$0.00 (2681)	
Surcharge of \$130.00 (1617)/\$55.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					\$
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b># EXTRA</b>	<b>RATE</b>		
Total Claims	minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)	\$
Independent Claims	minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)	\$
<b>MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</b>			\$360.00 (1616)/\$180.00 (2616)		\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)					\$ 0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					0.00
<b>TOTAL NATIONAL FEE =</b>					\$ 0.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property					\$ 0.00
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)					\$ 0.00
<b>TOTAL FEES ENCLOSED =</b>					\$ 0.00
					Amount to be: refunded \$
					Charged \$
a. <input type="checkbox"/> A check in the amount of \$0.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed. d. <input type="checkbox"/> CREDIT CARD PAYMENT FORM ATTACHED.e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/FI2003/000813 and any U.S. and foreign application(s) corresponding thereto, and _____, referred to in this application is/are hereby incorporated by reference in this application. NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status. <b>CORRESPONDENCE ADDRESS</b> Direct all correspondence to: <input checked="" type="checkbox"/> <b>Customer Number:</b> <span style="border: 1px solid black; padding: 2px 20px;"><b>23117</b></span> Type Customer Number here  Telephone: (703) 816-4000 GRT:ap					
				 <b>Gary R. Tanigawa</b> NAME 43,180 August 3, 2005 REGISTRATION NUMBER Date	

Please type a plus sign (+) inside this box →

+

PTO/SB/121 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# CORRESPONDENCE ADDRESS INDICATION FORM

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Request for Customer Number (PTO/SB/125) submitted herewith.

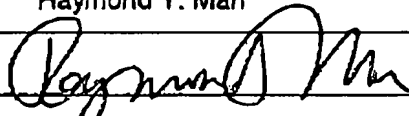
In the following listed application(s) or patent(s):

Patent Number (if appropriate)	Application Number	Patent Date (if appropriate)	U.S. Filing Date
	10/533,816		May 3, 2005

Typed or  
Printed Name

Raymond Y. Mah

Signature



Date

August 3, 2005

Address of signer:

901 North Glebe Road, 11th Floor  
Arlington, VA 22203

(check one)



Applicant or Patentee



Assignee of record of the entire  
interest. Statement under 37 C.F.R. §  
3.73(b) is enclosed. (Form  
PTO/SB/96)



Attorney or Agent of record

41,426

(Reg. No.)

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



Total of

1

forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Assistant Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of  
SUOMALAINEN et al.

Appln. No. 10/533,816

Filed: May 3, 2005

FOR: METHOD FOR INHIBITING YEAST GROWTH

Confirmation No. 7841

Atty. Ref.: 227-159

T.C. / Art Unit: Not Known

Examiner: Not Known

\* \* \*

**IDENTIFICATION OF PRACTITIONERS TO BE RECOGNIZED**

U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 3, 2005

Sir:

Of the Patent Practitioners identified in the concurrently filed Power of Attorney, please recognize the following listed Patent Practitioners as being of record in the subject application.

**Listing of Practitioners of Record (No more than 10)**

Arthur R. Crawford	Reg. No. 25,327
Bryan H. Davidson	Reg. No. 30,251
James T. Hosmer	Reg. No. 30,184
Michael J. Keenan	Reg. No. 32,106
Raymond Y. Mah	Reg. No. 41,426
Leonard C. Mitchard	Reg. No. 29,009
Larry S. Nixon	Reg. No. 25,640
Mark E. Nusbaum	Reg. No. 32,348
B. J. Sadoff	Reg. No. 36,663
Mary J. Wilson	Reg. No. 32,955

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Raymond Y. Mah  
Reg. No. 41,426

901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

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Nixon & Vanderhye P.C. (10/99)  
(Domestic Non-Assigned/Foreign) Page 1

**RULE 63 (37 C.F.R. 1.63)**  
**INVENTORS DECLARATION FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR INHIBITING YEAST GROWTH**

the specification of which (check applicable box(es)):

☐ is attached hereto  
☐ was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_ (Atty Dkt.)  
☒ was filed as PCT International application No. PCT/FI2003/000813 on 3 November 2003  
and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s): Application Number	Country	Day/Month/Year Filed
20021968	Finland	4 November 2002

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number	Date/Month/Year Filed
--------------------	-----------------------

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT International applications listed above or below:

Prior U.S./PCT Application(s): Application Serial No.	Day/Month/Year Filed	Status: patented pending, abandoned
Error! Reference source not found.	Error! Reference source not found.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8<sup>th</sup> Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Larry S. Nixon, 25640; Arthur R. Crawford, 25327; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Basha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffrey H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr., 29366; Mary J. Wilson, 32955; ~~James T. Hosmer, 30184~~; Alan M. Kagen, 35178; Robert A. Molan, 29834; B. J. Sadoff, 36663; ~~James T. Hosmer, 30184~~; Updeep S. Gill, 37334; Michael J. Shea, 34725; ~~Donald L. Jackson, 11080~~; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoads, 37515; Raymond Y. Mah, 41426; Chris Comuntzis, 31097. I also authorize Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1.	Inventor's Signature: <u>Tarja Suomalainen</u>	Date: <u>2.05.2005</u>
	Inventor: Tarja (first) MI SUOMALAINEN (last) (citizenship)	
	Residence: (city) <u>HELSINKI</u> (state/country) <u>FINLAND</u>	
	Mailing Address: <u>LALLUKANEN TC</u>	
	(Zip Code) <u>00020</u>	
2.	Inventor's Signature: <u>Annika Mayra-Mäkinen</u>	Date: <u>2.05.2005</u>
	Inventor: Annika (first) MI MAYRA-MÄKINEN (last) (citizenship)	
	Residence: (city) <u>HELSINKI</u> (state/country) <u>FINLAND</u>	
	Mailing Address: <u>MAYRA-MÄKINEN Y.B.17</u>	
	(Zip Code) <u>00100 HELSINKI</u>	

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